

DISTRICT V ADVISORY BOARD
Minutes
www.wichita.gov

January 9, 2005
7:00 p.m.

Auburn Hills Golf Course Clubhouse
443 S. 135th West

Seven (7) District Advisory Board Members attended the District V Advisory Board meeting. Also in attendance was four City staff. Approximately 25 members of the public were present with 18 signing the sign-in sheet.

Members Present

David Almes
Bob Bulman
David Dennis
Andy Johnson
John Marker
DeAnn Sullivan
Ann Welborn
Council Member Bob Martz

Members Absent

Jerry Hoggatt
Maurice Ediger
Clarke Sandberg

Staff Present

Bradley Haught, Police
Patricia Brock, Police
Donna Goltry, Planning
Dana Brown, City Manager's Office

Guests

Listed on page 5.

Call to Order

Bob Martz, City Council Member, called the meeting to order at 7:04. He welcomed the public and explained that the role of the District Advisory Board was to advise him on district and citywide issues. He asked that all people who wished to speak on an agenda item to wait until the public is given the opportunity during review of the item. Other items not on the agenda would be addressed on the Public Agenda portion. Council Member Martz asked that the public wait to be acknowledged before speaking as well as refrain from disrespectful comments or actions while others were speaking.

Council Member Martz then asked for approval of the minutes for the December 5, 2005 meeting. The minutes were approved 7:0 as corrected with a spelling correction for Welborn's name.

The agenda for January 9, 2006 was also approved.

Staff Reports

1. Community Police Report

Officer Bradley Haught, Beat 199, reported on policing activities for the West Patrol in 2005, including Beats 16, 18, 19, and 199:

No homicides

Increase in rapes from 14 to 22
Robberies had a slight decrease
Aggravated Assaults had a large increase, probably due to a stricter law regarding domestic violence battery which is now considered Aggravated Assault
Residential Burglaries decreased
Non-residential burglaries remained the same
Larcenies decreased
Auto theft remained the same.

Haught expressed concern for continued storage unit and home construction burglaries. One new trend just reported last week and again today is postal theft in Beats 18 and 199. The offender appears to follow the mail carrier and then takes the mail for checks and credit cards. Seventeen (17) incidents were reported last week.

New Business

2. ZON2005-00052

Donna Goltry, Planning, presented a request to change zoning from Limited Commercial, “LC,” to General Commercial, “GC,” with a Protective Overlay requested on the existing “GC,” General Commercial zoning on 5.22 acres generally located north of Kellogg between Byron Road and Seville Avenue.

Information was presented as proposed by the owner to make the narrow strip of land more useable. Protective Overlap (PO) would require architectural compatibility with the rear of buildings interspersed with a masonry wall eight foot high and landscaping facing the residents along Dubon Avenue. Westfield Street would be vacated. List of allowable uses were read and it was noted that group homes would be added on the advisement of the Law Department. Increased concerns do not exist for traffic due to difficult access to site as frontage road runs west. Land Use Guide of Comprehensive Plan agrees with proposed property change. Restrictions from the PO address many of typical concerns of setbacks, signage, lighting, and parking with landscaping and screening more stringent than typical to better separate the residential and commercial areas. Strictest use of PO is necessary to mitigate commercial use next to residential.

Kurt Miller, agent for the owner, better explained how the wall would appear and that it would help reduce dust and trash blown into the residential area from southerly winds. Also answered question on landscaping plan.

Area residents asked about paving Dubon to which Goltry explained both options of paving and not paving carried disadvantages as paving would encourage use, increasing traffic and would cost the residents while leaving unpaved would continue issues of dust and maintenance.

DAB Members asked for clarification on group home definition and setbacks, and stated that the property was a challenging site to develop. Bulman (Almes) moved to recommend approval according to the staff recommendation. Motion passed 7:0.

Action: Recommended by a vote of 7: 0 to approve change to Limited Commercial with a Protective Overlay according to staff recommendations.

3. CUP2005-00072

Donna Goltry, Planning, presented a request to create DP 293 E. S. Development Midwest Commercial associated with ZON2005-00054 zone change request from Single Family, "SF-5," to Limited Commercial, "LC." The subject property is generally located east of Maize Road and south of Sterling (2424 N. Maize Road).

Donna Goltry, Planning Department, presented the request for the property, which has been owned by the Northwest Free Methodist Church since 1954. Explained that a CUP is required for a property over 6 acres and the owners have volunteered to meet CUP requirements, even though that is not necessary for their property. Their intent is for the CUP to allow cross lot circulation with DP204, Chadsworth Commercial CUP to tie together with this commercial development. Goltry said that many of the allowed uses had been excepted out and noted the permitted and prohibited uses. Also explained the requirements for architecture, building height, screening, signage, lighting, etc. State that MAPC had deferred on January 5 to allow District Advisory Board to review.

Terry Smythe, agent for the property owners, explained that this is considered an in-fill project with the expansion to ties together two CUPs. He said homes and commercial areas surround the church. The plan would adhere to the Access Management Policy through the purpose of getting traffic off the streets. Said that owners have agreed to exceed the setback requirements, restricted building heights, decreased lighting, eliminated several uses, and will move existing trees in an effort to be a good neighbor. Said a drive-through restaurant is planned for the southwest corner, addressed questions from a previous e-mail sent by a DAB Member. Explained that drainage from backside will be directed to storm water and will be assured by the City Engineer during the platting process.

Church Representative spoke about the church's situation of having completed market research for selling when the bowling alley originally was built and learned that the property is too valuable to not sell for development. Had planned for building expansion but space is inadequate.

Area residents and public expressed concerns for developing as commercial: making drainage worse due to drainage currently pooling in residents yards; traffic increase and difficulties with access onto Maize; circulation safety in parking lots; decrease to property values; could property be sold to another church; interruption to their quality of life with odors from restaurant & trash and noise from traffic, trash-haulers, and especially from the proposed drive-through restaurant; increase in existing lighting from commercial areas; loss of greenspace from church's soccer field; encroaching businesses; and, enforcement of CUP requirements.

Brad Seville, realtor agent for church, spoke about a property owner's rights to develop their property to its highest & best use. Emphasized the church's plan to move and to take advantage of the great demand for commercial property in the area. Noted that the playground area does not exist for the residents; that they were fortunate to have had use of it.

Council Member Martz answered some of the public's questions explaining that the church has property rights to sell to whatever party agrees to their terms and to obtain as much money as possible for the property; issues of trash, odor, lighting, & traffic are a concern but the current process attempts to manage these as a growth pattern and address through city code enforcements (residents need to report current issues of noise and lighting to the city for enforcement); drainage is a priority for District V and a plan will be developed to assure it is

properly managed; City encourages greenspace but is limited on how much can be provided with other demands; and, CUP requirements are in writing and enforced more so now than ever.

Board Members asked for clarification on the length of time the church had existed; planned access onto and from Maize with the CUP compared to current access; and drainage impact onto neighbors with the development. Members felt that residents needed to have copies of the staff report for the case and decided to defer a recommendation until residents in attendance were provided the report. Dennis (Almes) moved to defer a recommendation to provide a complete staff report to residents.

Action: Voted 4:3 to defer a recommendation until DAB meeting on February 6 to provide staff report to all residents who request it.

Public Agenda

This portion of the agenda provides an opportunity for citizens to present items not shown as part of the regular meeting agenda.

Dr. Carla Lee, responding on behalf of **Erma Markham, National Board Member for Neighborhoods USA (NUSA)**, presented follow up information for Markham's presentation in December regarding the Neighborhoods USA Conference. The national conference is being held in Kansas City on Memorial Day weekend in 2006 and Markham is recruiting interested residents to attend. By attending this year's conference, Markham is hoping that interest from neighborhoods will be generated to bring the national conference to Wichita in 2009 or 2010. Lee provided a handout on the conference with the NUSA website at www.nusa.org.

Dr. Lee also noted that the memorial for Piatt Park commemorating the 1965 plane crash in that neighborhood will be dedicated by the City on Monday, January 16th at the Park. She invited all to participate.

Action: Received and filed.

Board Agenda

Updates, Issues, and Reports

Report on activities, events, or concerns in the neighborhoods and/or District V.

DAB asked about the status on the improvement for Central between 119th & 135th. **Council Member Martz** reported that Public Works had last reported the land transfer was in process.

Action: Receive and file.

With no further items, the meeting was adjourned at 10:15 p.m.

The next regular meeting for District Advisory Board V is scheduled at Auburn Hills Clubhouse at **7:00 p.m. on February 6, 2006** the second Monday of the month.

Respectfully Submitted,

Dana Brown, Neighborhood Assistant
City Council District V

Guests

Clete Dold, 218 S. Breezy Point Circle, 67235

Carla A. Lee, 1367 N. Westlink, 67212

L.W. Williams, 1364 N. Seville

Lee Schwartz, 10313 Sterling Ct., 67208

Catherine Leslie, 2316 Pepper Ridge Cr 67205

Laura Roberds, 2411 N. Crestline Cr 67205

Randy Ambrose, 2407 N. Crestline Ct.

Katherine Ambrose, 2407 N. Crestline Ct.

Joan Wheeler, 10317 Sterling Ct.

Jay Schweikert, 2367 N. Crestline Ct.

Mary Edwards, 10321 Sterling Ct.

William Fischer 10201 Sterling Ct.

Lisa Fisher, 10201 Sterling Ct.

Robert Riolo, 10109 Sterling Ct.

Teresa Clark, 10213 Sterling Ct.

Edward Schierberl, 2423 Crestline, 67205

Ron Trowbridge, 10309 Sterling Ct.

Sharon Trowbridge, 10309 Sterling Ct.